

REMARKS

Applicants respectfully request that the above-identified application be reconsidered.

An Office Action mailed May 14, 2007 (hereinafter "Office Action") rejected Claims 1-11. Specifically, the Office Action rejected Claims 1-11 under 35 U.S.C. § 102(b) as being anticipated by the teachings of U.S. Patent No. 6,269,456, issued to Hodges et al. (hereinafter "Hodges et al.").

Applicants have amended independent Claims 1, 6, and 11 to further clarify claim language and more clearly distinguish the claimed invention over the cited and applied references.

Rejection of Claims 1-11 Under 35 U.S.C. § 102(b)

As noted above, Claims 1-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Hodges et al. Applicants respectfully disagree for the reasons set forth below. Amended independent Claim 1 recites, in its entirety:

1. A method for controlling the installation behaviors of a computing device during a software update installation, the method comprising:

obtaining software update information to be installed on the computing device, the **software update information comprising a software update, a rule for applicability** of the software update, and an **installation attribute** for controlling the installation of the software update; and

determining whether the software update is applicable to the computing device, and if so:

selectively modifying the installation behavior of the computing device according to the installation; and

installing the update on the client computer according to the modified installation behavior. (Emphasis added.)

Claims 2-5 depend from Claim 1 and are submitted to be allowable for at least the same reasons discussed above with respect to Claim 1.

Hodges et al. does not disclose obtaining software update information to be installed on the computing device, the software update information comprising a software update, a rule for applicability of the software update, and an installation attribute for controlling the installation of

the software update. Hodges et al. discloses a method for updating antivirus files on a computer using push technology. (Hodges et al., Abstract.) More specifically, Hodges et al. discloses a method and a system including a central antivirus server 308 for updating local client computers 302 with antivirus files. Each client computer intermittently notifies the central antivirus server that the client computer is actively coupled to the computer network. The central antivirus server evaluates whether that client computer has the most recent antivirus file updates. If the client computer does not have the most recent antivirus updates, the central antivirus server transmits updated antivirus files to that client computer or the computer network. (Hodges et al., Col. 4, line 53-Col. 5, line 11.) Hodges et al. does not disclose updated antivirus files that include update software, a rule for applicability of the software update, and installation attributes for controlling the installation of the software update, as recited in amended independent Claim 1. Therefore, amended independent Claim 1 is submitted to be allowable for at least the reasons discussed above.

Amended independent Claims 6 and 11 recite, in relevant portions, the same features discussed above with respect to Claim 1 and are submitted to be allowable for at least the same reasons as discussed above with respect to Claim 1.

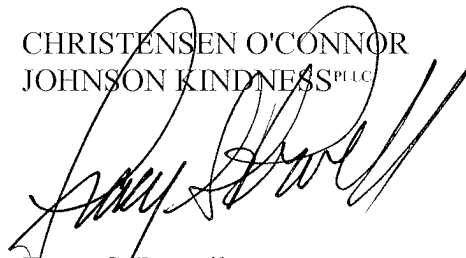
Claims 7-10 depend from Claim 6 and are submitted to be allowable for at least the same reasons discussed above with respect to Claim 6.

CONCLUSION

In summary, applicants respectfully submit that all of the claims in this application are allowable in view of the disclosure of Hodges et al. As a result, applicants respectfully request that all of the claims pending in this application be allowed and this application be passed to issue. If the Examiner has any questions, the Examiner is invited to contact applicants' attorney at the number set forth below.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}

A handwritten signature in black ink, appearing to read "Tracy S. Powell", is written over the printed name and firm name.

Tracy S. Powell
Registration No. 53,479
Direct Dial No. 206.695.1786

TSP/FXM:tmm

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue, Suite 2800
Seattle, Washington 98101
206.682.8100